

LEGISLATURE OF NEBRASKA  
NINETY-EIGHTH LEGISLATURE  
FIRST SESSION  
**LEGISLATIVE BILL 257**  
FINAL READING

Introduced by Bromm, 23; Smith, 48

Read first time January 13, 2003

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to the Records Management Act; to amend  
2 sections 84-1204 and 84-1227, Reissue Revised Statutes of  
3 Nebraska; to authorize grants to improve electronic  
4 access to public records as prescribed; to harmonize  
5 provisions; and to repeal the original sections.  
6 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 84-1204, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3           84-1204. (1) The State Records Board is hereby  
4 established. The board shall:

5           (a) Advise and assist the administrator in the  
6 performance of his or her duties under the Records Management Act;

7           (b) Provide electronic access to public records through a  
8 gateway;

9           (c) Develop and maintain a gateway or electronic network  
10 for accessing public records;

11           (d) Provide appropriate oversight of a network manager;

12           (e) Approve reasonable fees for electronic access to  
13 public records pursuant to sections 84-1205.02 and 84-1205.03 and  
14 submit contracts for public bidding pursuant to section 84-1205.04;

15           (f) Have the authority to enter into or renegotiate  
16 agreements regarding the management of the network in order to  
17 provide citizens with electronic access to public records;

18           (g) Explore ways and means of expanding the amount and  
19 kind of public records provided through the gateway or electronic  
20 network, increasing the utility of the public records provided and  
21 the form in which the public records are provided, expanding the  
22 base of users who access public records electronically, and, if  
23 appropriate, implementing changes necessary for such purposes;

24           (h) Explore technological ways and means of improving  
25 citizen and business access to public records and, if appropriate,  
26 implement the technological improvements;

27           (i) Explore options of expanding the gateway or  
28 electronic network and its services to citizens and businesses; ~~and~~

1           (j) Have the authority to grant funds to political  
2 subdivisions for the development of programs and technology to  
3 improve electronic access to public records by citizens and  
4 businesses consistent with the act; and

5           (k) Perform such other functions and duties as the act  
6 requires.

7           (2) In addition to the administrator, the board shall  
8 consist of:

9           (a) The Governor or his or her designee;

10           (b) The Attorney General or his or her designee;

11           (c) The Auditor of Public Accounts or his or her  
12 designee;

13           (d) The State Treasurer or his or her designee;

14           (e) The Director of Administrative Services or his or her  
15 designee;

16           (f) Three representatives appointed by the Governor to be  
17 broadly representative of banking, insurance, and law groups; and

18           (g) Three representatives appointed by the Governor to be  
19 broadly representative of libraries, the general public, and  
20 professional members of the Nebraska news media.

21           (3) The administrator shall be chairperson of the board.  
22 Upon call by the administrator, the board shall convene  
23 periodically in accordance with its rules and regulations or upon  
24 call by the administrator.

25           (4) Six members of the board shall constitute a quorum,  
26 and the affirmative vote of six members shall be necessary for any  
27 action to be taken by the board. No vacancy in the membership of  
28 the board shall impair the right of a quorum to exercise all the

1 rights and perform all the duties of the board.

2 (5) The representatives appointed by the Governor shall  
3 serve staggered three-year terms as the Governor designates and may  
4 be appointed for one additional term. Members of the board shall  
5 be reimbursed for actual and necessary expenses as provided in  
6 sections 81-1174 to 81-1177.

7 Sec. 2. Section 84-1227, Reissue Revised Statutes of  
8 Nebraska, is amended to read:

9 84-1227. There is hereby established in the state  
10 treasury a special fund to be known as the Records Management Cash  
11 Fund which, when appropriated by the Legislature, shall be expended  
12 by the Secretary of State for the purposes of providing records  
13 management services and assistance to political subdivisions, ~~and~~  
14 for development and maintenance of a gateway or electronic network  
15 for accessing public records, and for grants to political  
16 subdivisions as provided in subdivision (1)(j) of section 84-1204.

17 All fees and charges for the purpose of records management services  
18 and analysis received by the Secretary of State from the political  
19 subdivisions shall be remitted to the State Treasurer for credit to  
20 such fund. Any money in the fund available for investment shall be  
21 invested by the state investment officer pursuant to the Nebraska  
22 Capital Expansion Act and the Nebraska State Funds Investment Act.

23 Sec. 3. Original sections 84-1204 and 84-1227, Reissue  
24 Revised Statutes of Nebraska, are repealed.